

Exhibit 15

MARK GRIFFITHS
IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO

Case No. 1:18-cv-00357-TSB-KNM-MHW

OHIO A. PHILIP RANDOLPH)
INSTITUTE, et al.,)

Plaintiffs,)

vs.)

RYAN SMITH, Speaker of)
the Ohio House of)
Representatives, et al.,)

Defendants.)

DEPOSITION OF MARK GRIFFITHS
Cleveland, Ohio
Thursday, December 6, 2018

Reported by:
JILL A. KULEWSKY, RPR
JOB NO. 151952
Thursday, December 6, 2018, 1:00 p.m.

1 MARK GRIFFITHS

2 organization. It falls under the
3 umbrella of the Bishop of Cleveland. At
4 the time that I was there, there were
5 about 800 to 1,000 employees, probably 40
6 or 50 different sites.

7 Q. And what did that organization
8 primarily do?

9 A. Social service. There was
10 chemical dependency counseling, daycare,
11 child care, counseling, employment and
12 training. So a wide variety of human
13 services.

14 Q. And then what was the
15 geographic range? Was it limited to the
16 Cleveland Diocese?

17 A. Yes, which is made up of eight
18 counties in Northeast Ohio.

19 Q. Mr. Griffiths, what is your
20 current address?

21 A. 33137 Hawks Nest Court in
22 North Ridgeville.

23 Q. And how long have you lived at
24 the Hawks Nest Court address?

25 A. 15 years.

1 MARK GRIFFITHS

2 Q. Where did you reside prior to
3 the Hawks Nest Court address?

4 A. 3106 Standish Avenue in Parma.

5 Q. And how long did you live at
6 the Parma address?

7 A. I think it was about 26 years.

8 Q. And what county is the Hawks
9 Nest Court address in?

10 A. That is Lorain County.

11 Q. And the Parma address?

12 A. Cuyahoga County.

13 Q. What congressional district do
14 you live in?

15 A. District 7.

16 Q. And do you know who your
17 congressional representative is?

18 A. Bob Gibbs.

19 Q. Is Bob Gibbs a Republican or a
20 Democrat?

21 A. Republican.

22 Q. Mr. Griffiths, when did you
23 first register to vote in the State of
24 Ohio?

25 A. Whenever I was first eligible.

1 MARK GRIFFITHS

2 Probably the age of 21.

3 Q. Okay.

4 A. I don't recall exactly when
5 the Constitutional Amendment was passed
6 to make it 18. I think I was 21.

7 Q. Do you know about what year
8 that was?

9 A. I was born in '49, '69, so
10 probably about 1970.

11 Q. Do you remember the first
12 election that you voted in?

13 A. I'm afraid I do not.

14 Q. Did you vote in the most
15 recent congressional election --

16 A. Yes, I did.

17 Q. -- in 2018?

18 And who did you vote for?

19 A. Ken Harbaugh.

20 Q. And did you vote in the 2016
21 congressional election?

22 A. Yes.

23 Q. Do you remember who you voted
24 for?

25 A. Roy Rich.

1 MARK GRIFFITHS

2 Q. And backing up, is Ken
3 Harbaugh a Republican or a Democrat?

4 A. Democrat.

5 Q. And is Roy Rich a Republican
6 or a Democrat?

7 A. Democrat.

8 Q. Did you vote in the 2014
9 congressional election?

10 A. I voted in that election, but
11 I believe Bob Gibbs was unopposed.

12 Q. And did you vote for --

13 A. I did not vote. I just didn't
14 vote then for that.

15 Q. When you say you didn't vote,
16 you just left that race blank and voted
17 in the other races?

18 A. Correct.

19 Q. And do you remember voting in
20 the 2012 congressional election?

21 A. I'm sure that I did, yes.

22 Q. Do you remember who you voted
23 for?

24 A. I do not. I believe there was
25 a Democrat who ran. I believe I voted

1 MARK GRIFFITHS

2 for that person.

3 Q. And in all these elections
4 that we spoke of from 2012 to 2018, did
5 Bob Gibbs win each of those congressional
6 elections?

7 A. Yes, he did.

8 Q. And do you know the last time
9 you haven't voted? I know you don't
10 remember your first election, but to the
11 best of your knowledge, have you voted in
12 every congressional election for which
13 you were eligible to vote?

14 A. Yes, I did. I'm sure I did.

15 Q. And have you in any election
16 ever voted for a Republican or an
17 independent candidate?

18 A. Yes, I have.

19 Q. And can you tell me about the
20 times that you voted for a Republican or
21 independent?

22 A. I voted for a Republican for
23 U.S. Senate on one occasion.

24 Q. Who was that?

25 A. Rob Portman.

1 MARK GRIFFITHS

2 Q. And you've never voted for an
3 independent candidate or third-party
4 candidate; is that correct?

5 A. No.

6 Q. At any level?

7 A. No.

8 Q. And in the future, would you
9 vote for -- in a future congressional
10 race, would you vote for a Republican?

11 MS. ROMERO: Objection to
12 form. You can answer.

13 THE WITNESS: I'm sorry?

14 MS. ROMERO: You can answer
15 the question.

16 A. It's possible.

17 Q. Under what circumstances?

18 A. If I felt a Republican was a
19 better candidate, and if the Democrat, if
20 there is something flawed in that
21 candidate, I would consider it.

22 Q. What would make you consider a
23 Republican a better candidate? What
24 factors?

25 A. Background and experience

1 MARK GRIFFITHS

2 compared to who he or she would be
3 running against.

4 Q. In addition to background and
5 experience, do you consider any other
6 factors when you choose the candidates
7 that you vote for?

8 A. Well, certainly I look at
9 their positions on issues and their
10 values and how they align with mine. So
11 more often than not, I'm probably going
12 to lean towards a Democratic candidate
13 because of that.

14 Q. If a Republican candidate or a
15 third-party or independent candidate
16 shared your positions and values, would
17 you vote for that candidate over a
18 Democrat?

19 MS. ROMERO: Objection.

20 Speculation. You can answer.

21 A. It's possible.

22 Q. Mr. Griffiths, have you always
23 lived in the 7th Congressional District?

24 A. No. I think previously before
25 2012 the district had a different number.

1 MARK GRIFFITHS

2 A. Yes. Yes.

3 Q. And did you participate in any
4 signature drives other than the members
5 of Indivisible?

6 A. Yes. While we -- each member
7 of our group circulated petitions, but
8 circulating petitions is sort of an
9 individual process, it's not something
10 you really do in a mass or a group. My
11 wife also participated in that, and she
12 and I went to a number of different
13 events and circulated petitions.

14 Q. Do you recall about how many
15 signatures you were able to obtain for
16 Issue 1?

17 A. I'm guessing 3 or 400
18 signatures, something like that.

19 Q. Other than your work with Fair
20 Districts=Fair Elections on the
21 gerrymandering issue, have you done any
22 other work with Indivisible?

23 A. With the Indivisible group in
24 Wellington, we met -- we had a sit-down
25 meeting with Bob Gibbs to talk about our

1 MARK GRIFFITHS

2 issues related to health care. So that
3 we did as a group.

4 Q. And how was that meeting
5 organized?

6 A. The head of our Indivisible
7 group was in contact with Bob Gibbs'
8 office in Ashland, and they were able to
9 secure a date and time to meet with him.

10 Q. Do you remember when this
11 meeting took place?

12 A. It was in the first or second
13 week of April 2017.

14 Q. And this meeting was with
15 Congressperson Gibbs himself, correct?

16 A. Yes.

17 Q. And what did you tell
18 Congressperson Gibbs?

19 A. Again, the focus was on health
20 care, and at that time the Republicans
21 were working on an alternative health
22 care plan, and we all had a number of
23 concerns about that, expressed those
24 concerns. That was right around the time
25 that President Trump had made the remark

1 MARK GRIFFITHS

2 about health care, who knew it was so
3 complicated, or something to that effect,
4 and with Bob Gibbs we talked about what a
5 complicated issue this was.

6 Toward the conclusion of the
7 meeting, we could see we weren't
8 really -- we weren't getting very far,
9 that he wasn't changing our minds, and we
10 weren't changing his mind on anything,
11 and I suggested to him that given how
12 complicated this was, and I had a strong
13 background in employee benefits and Human
14 Resources, I suggested that I would be
15 willing, if he wanted to pull people
16 together to form kind of a study group,
17 to work on this issue on his behalf,
18 essentially do research, advise, develop,
19 you know, whatever, and that offer was
20 not accepted.

21 Q. Do you know why?

22 A. No.

23 Q. And what did Congressperson
24 Gibbs say to you about his position on
25 health care?

1 MARK GRIFFITHS

2 I think to have a district
3 that is in Northeast Ohio, Lorain County,
4 for example, as a whole, right now Lorain
5 County is split into three different
6 districts. So the Democrats are cracked
7 in that instance, and I think it's been
8 done strictly for purposes of maintaining
9 part of its partisan position.

10 Q. I have a few followups to
11 that. You mentioned that Lorain County
12 is split into three districts?

13 A. Yes.

14 Q. Do you think you have a right
15 to live in a district in which your
16 county is whole?

17 MS. ROMERO: Objection to
18 form. You can answer.

19 A. That would be my preference.
20 I don't think it's practical. I do
21 understand that counties, in order to
22 achieve the balance that you need based
23 on population, there's probably going to
24 be some split of counties, but I think
25 that should be minimized.

1 MARK GRIFFITHS

2 Q. So you agree that you don't
3 have a right to live in a district in
4 which your county is whole?

5 MS. ROMERO: Objection. You
6 can answer.

7 A. No. I think I have a right to
8 be in a district that is a compact,
9 geologically logical configured district.

10 Q. What is a compact, logical
11 district?

12 A. A district that is compact in
13 terms of size, that respects county
14 boundaries, municipal boundaries to the
15 largest extent possible, and that
16 reflects some community of interest of
17 people in the district.

18 Q. And what community of interest
19 is not in District 7 that should be?

20 MS. ROMERO: Objection to
21 form. Go ahead.

22 A. District 7 is made up of, I
23 don't recall, seven or eight counties,
24 and it goes from urban to rural to
25 suburban back to rural to urban. It's

1 MARK GRIFFITHS

2 really a configuration that does not make
3 much sense.

4 When I was circulating
5 petitions on this issue, and, of course,
6 you won't be surprised that nine people
7 out of 10 don't know what gerrymandering
8 is, but when we would show them the
9 congressional map, they clearly, many,
10 many people, most people would look at it
11 and say, "This map doesn't make any
12 sense. This is my district?"

13 And it wouldn't make any
14 difference. We would collect signatures
15 at Lorain Community College. So we would
16 talk to people who were in Jim Jordan's
17 district or Bob Gibbs' district or Marcy
18 Kaptur's district, all these different
19 districts, and people would look at the
20 map and say, "Why is it this way, this
21 doesn't make sense?"

22 So that's what I mean. It
23 just doesn't pass the sense in terms of
24 any kind of logic. I don't think anybody
25 that would design a map would ever draw

1 MARK GRIFFITHS

2 District 7 in any -- for any kind of
3 logical reason.

4 Q. What do you think is a logical
5 reason or a logical way to draw a map?

6 A. I would draw it in terms of,
7 again, compactness. So I would start out
8 trying to make sure if Lorain County was
9 a district, and if there weren't enough
10 people in Lorain County to make up a
11 district, then I would add a piece of
12 Cuyahoga County or maybe Medina County
13 where it closes in on Medina County, but
14 somehow make it compact so that it's not
15 running its way through seven or eight
16 different counties.

17 Q. Part of Medina County is
18 currently in Congressional District 7?

19 A. Right. Yes.

20 Q. Do you know, are there enough
21 people in Lorain County to form a
22 district?

23 A. I would guess not, but I'm not
24 positive of that.

25 Q. I believe you testified that

1 MARK GRIFFITHS

2 Q. And if you lived in a district
3 that was compact in terms of size,
4 respected communities of interest, didn't
5 violate any federal laws regarding
6 minority participation but still
7 consistently elected a Republican
8 candidate, do you think you would still
9 have a constitutional claim about that
10 district?

11 MS. ROMERO: Objection.

12 Incomplete hypothetical. Calls for
13 a legal conclusion. You can
14 answer.

15 A. And your question was would I
16 have a claim in that instance?

17 Q. Yes. Would you have a
18 constitutional claim about that district?

19 A. I don't think so.

20 Q. Mr. Griffiths, how do you
21 think you've been injured by the 2011
22 congressional map?

23 A. It has been very difficult to
24 identify candidates willing to take on
25 Bob Gibbs in this case because of how

MARK GRIFFITHS

heavily gerrymandered the district is.
It has been difficult to connect with
other volunteers just because of the
geographic space involved in this, and I
believe my vote or my non-vote in support
of Bob Gibbs does not really factor into
his thinking, and that's how I explained
him not being interested in following
through on a study group on the medical
issue, health care issue.

My wife had written to him,
and I'm sorry, I don't remember the
specific issue, but she wrote to him
about, I'll say as an example, concerns
about health care, and received a letter
back from Bob Gibbs that said something
like "Thank you for your concerns about
the Farm Bill." And again, I may have
the two issues mixed, but it was a
complete non-secretory.

She shared that response with
other members of our Wellington
Indivisible group, and a number of them
had experienced the same thing.

1 MARK GRIFFITHS

2 Q. When you say "the same thing,"
3 you mean the response from Congressperson
4 Gibbs does not match to the --

5 A. Yes, correct. And that said
6 to us that this guy doesn't really care
7 what we think or don't think, whether we
8 vote or not vote. He is in a position,
9 and still is in a position, that he's
10 going to get re-elected. So therefore,
11 the issues that we few Democrats might
12 raise aren't really anything that he
13 needs to respond to.

14 Q. I want to follow up on these
15 injuries that you identified. You said
16 the first was your vote in opposition to
17 Gibbs is a non-issue, and again, you're
18 not contending that your vote is in fact
19 not counted?

20 A. No, I'm not. I'm sure it's
21 counted.

22 Q. When you say "non-issue," what
23 do you mean?

24 A. It's a non-issue to him.
25 Whether or not I support him is not an

1 MARK GRIFFITHS

2 form.

3 A. I expect that the Congressman
4 and I would disagree. I wouldn't expect
5 a Congressman to always agree with my
6 views. But I would expect my Congressman
7 to take my views into account and pay
8 attention to them, and I don't think
9 that's going on now.

10 Q. So would an example of a
11 Congressperson taking your views into
12 account be meeting with you to discuss an
13 issue, such as health care?

14 A. Yes, but also being
15 responsive.

16 Q. And Congressperson Gibbs did
17 in fact meet with you to discuss the
18 issue of health care?

19 A. Yes, but was not responsive.

20 Q. And would you agree that it's
21 the responsibility of a Congressperson to
22 represent the views of the majority of
23 voters in their district?

24 A. Yes.

25 Q. And so then Congressperson

1 MARK GRIFFITHS

2 Gibbs should be representing the views of
3 the majority of voters in Congressional
4 District 7, which you said are Republican
5 voters?

6 MS. ROMERO: Objection to
7 form.

8 A. Yes.

9 Q. You said that one way that you
10 think that the map injures you is that it
11 prevents you from connecting with other
12 volunteers?

13 A. Yes.

14 Q. How has the map prevented you
15 from connecting with other volunteers?

16 A. It's difficult geographically
17 because of the distances that have to be
18 traveled within the various parts of
19 District 7 that makes it a more difficult
20 challenge.

21 Q. Could you give me an example
22 of an instance in which you've been
23 unable to connect with a volunteer
24 because of geographic distance?

25 A. I was not willing to drive to,

1 MARK GRIFFITHS

2 say, Knox County to help with canvassing
3 activities.

4 Q. Did nothing prevent you from
5 driving to Knox County to volunteer?

6 A. No, except for the -- yeah,
7 it's just a difficult thing to do.

8 Q. So it was a choice that you
9 made not to drive to Knox County --

10 MS. ROMERO: Objection to

11 form.

12 A. Yes.

13 Q. -- to volunteer?

14 Is there anything else you can
15 think of other than geographic distance
16 that prevents you from connecting with
17 other volunteers in CD-7?

18 A. No, except for the fact that I
19 think the way the district is drawn,
20 Democrats in District 7 are spread out
21 pretty far from each other, and
22 therefore, what might be a more natural
23 being able to get together with people,
24 it's more difficult to do because we're
25 spread over the seven or eight counties

1 MARK GRIFFITHS

2 that make up District 7.

3 Q. Could you think of an example
4 of where you haven't been able to meet
5 with Democrats because of the geographic
6 distance?

7 A. There was a phone banking
8 activity for Ken Harbaugh that was held,
9 I believe it was in Huron County, that I
10 was supposed to participate in, but it
11 was -- the weather was very difficult, it
12 was a day like this, actually coming down
13 worse, but it would have been difficult
14 to make that drive. That's one I could
15 think of off the top of my head that
16 occurred earlier this year.

17 Q. Any other instances in which
18 you've been unable to connect with
19 volunteers as a result of the map?

20 A. That's the one I could think
21 of, yeah.

22 Q. About how far is Huron County
23 from Lorain County?

24 A. I would guess it was about 60,
25 75 miles, something like that.

1 MARK GRIFFITHS

2 Q. You said that the 2011 map has
3 injured you in making it difficult to
4 identify candidates willing to run in
5 Congressional District 7. Could you give
6 me an example of a time that you've been
7 unable to identify a candidate?

8 A. Well, 2014 I believe Gibbs was
9 unopposed, there was no one willing to
10 take him on.

11 Q. Did you encourage anyone to
12 run against Bob Gibbs?

13 A. No. But I did hear
14 conversation that nobody in fact was
15 coming forward to do that.

16 Q. But you didn't encourage
17 anyone to run in 2014?

18 A. No.

19 Q. Can you think of any other way
20 in which Congressional District 7 has
21 made you unable to identify candidates?

22 A. I would say in 2016 Roy Rich
23 ran, I've had several conversations with
24 him, and he talked to me about how
25 difficult that was to campaign in that

1 MARK GRIFFITHS

2 district because of the size of the
3 district and trying to get around to
4 different people. So I know from
5 personal experience from him that that
6 was very difficult.

7 Q. But nothing about the map
8 prevented him from running against Bob
9 Gibbs?

10 A. No, but the map made it
11 difficult to do.

12 Q. Was there anything about the
13 map that prevented a Democrat from
14 running in 2014?

15 A. Not to my knowledge
16 specifically, except that people saw it
17 as a gerrymandering situation and nobody
18 came forward to do that.

19 Q. And I believe the fourth and
20 final injury you identified as a result
21 of the map is that your wife wrote to
22 Congressperson Gibbs about an issue,
23 maybe health care, and that she received
24 a response from Congressperson Gibbs that
25 thanked her for her concerns about the

1 MARK GRIFFITHS

2 Farm Bill; is that correct?

3 A. Yes. It was a non-secretory.
4 I might have the wrong issue.

5 Q. Right. Have you ever written
6 to Congressperson Gibbs and received,
7 we'll call it a mismatched response?

8 A. A mismatched response, is that
9 what you said?

10 Q. Yes.

11 A. No. I could think of one time
12 I wrote to him, and I got a response that
13 responded to the issue that I raised.

14 Q. Do you know what that issue
15 was?

16 A. I wrote to him about the
17 Summit President Trump had in Helsinki
18 with Vladimir Putin and my concerns about
19 that, and he wrote back.

20 Q. Did you ask to receive a
21 response when you wrote to him?

22 A. I don't recall that I did. I
23 might have, I don't recall, but I did get
24 a response.

25 Q. Do you recall what his

1 MARK GRIFFITHS

2 attend. So my wife and I attended that
3 meeting in Canton.

4 Q. And during that meeting, did
5 you -- were you able to speak to
6 Congressperson Gibbs?

7 A. I spoke with him. We actually
8 were the first ones there. I spoke with
9 him, just kind of some small talk before
10 the meeting started. He made a joke to
11 the fact that we were the ones that had
12 come the furthest to this meeting, and we
13 actually had to pay a toll to come.

14 The meeting was -- as I came
15 to find out, it was somewhat scripted.
16 The different members of Indivisible had
17 personal stories to share with regard to
18 health care, and I think they had a set
19 period of time, an hour or so, and then
20 each person would tell their story and
21 Gibbs would give some response, and then
22 there was a little bit of back and forth
23 discussion, maybe five or 10 minutes that
24 other people had.

25 Q. Was any topic other than

1 MARK GRIFFITHS

2 Canton and one meeting --

3 A. The first meeting I described
4 to you actually took place in his Ashland
5 office.

6 Q. So one meeting in Canton, one
7 meeting in Ashland?

8 A. Yes.

9 Q. The third meeting?

10 A. The third time was not a
11 meeting, but it was in support of an
12 immigration activity, and there was an
13 ask from the HOLA organization within our
14 Invisible group to advocate for a
15 particular immigrant that was facing
16 deportation. That was a matter of just
17 stopping in his office and dropping off a
18 letter.

19 Q. You did not meet with
20 Congressperson Gibbs at that time?

21 A. Correct. I think he was in
22 Washington at the time.

23 Q. Did you speak to an aide?

24 A. I did. They were just
25 surprised we were there and said, "Okay,

1 MARK GRIFFITHS

2 Lorain County has a majority of
3 Democratic voters?

4 MS. ROMERO: Objection. Asked
5 and answered.

6 A. I don't know.

7 Q. Then how do you know that
8 Lorain County, the Democratic voters
9 could elect a member of congress?

10 MS. ROMERO: Objection.
11 Mischaracterizes his testimony.

12 A. Because I don't think it
13 necessarily would only be Democrats
14 voting for Democrats.

15 I think -- again, I'm basing
16 this on Sherrod Brown and Betty Sutton,
17 and I could be wrong, but I think most of
18 that district was Lorain County at that
19 time, and they were successful.

20 Q. But you don't know whether or
21 not that district also included Medina,
22 Summit and Cuyahoga Counties?

23 A. I don't recall.

24 Q. Would you prefer a
25 congressional map that would allow you to

1 MARK GRIFFITHS

2 elect a Democrat?

3 MS. ROMERO: Objection to

4 form. Incomplete hypothetical.

5 You can answer.

6 A. Yes.

7 Q. Do you think you have a right
8 to a district in which you could elect a
9 Democratic representative?

10 MS. ROMERO: Objection to

11 form.

12 A. I have a right to a
13 congressional district that would allow
14 my vote to matter and it could be
15 competitive, be it Democrat or
16 Republican. I felt like the vote would
17 matter.

18 Q. So you think you have a right
19 to a competitive district?

20 MS. ROMERO: Object to form.

21 A. Yes.

22 Q. What's a competitive district?

23 A. One that is drawn without
24 regard to the partisan nature or to
25 advantage one political party over the

MARK GRIFFITHS

expert to draw an alternative map or remedial map?

A. Yes.

Q. And are you aware that that expert's name is William Cooper?

A. Yes.

Q. Have you seen the remedial map?

A. Yes.

Q. Are you asking the court in this lawsuit to adopt that map for the 2020 election?

A. Yes.

Q. Would you prefer the district that Mr. Cooper has placed you in --

A. Yes.

Q. -- in the remedial map as opposed to the current map?

A. Yes. I think it would be District 9; is that correct? Yeah, whatever the number is.

Q. And do you consider the district that he's placed you in to be a competitive district?

1 MARK GRIFFITHS

2 A. Yes.

3 Q. Do you think that you would be
4 able to elect a Democratic representative
5 under that map?

6 MS. ROMERO: Objection to
7 form. Speculation.

8 A. I think so.

9 Q. Did you provide any input to
10 Mr. Cooper in drafting a remedial map?

11 A. No, I did not.

12 Q. Did Mr. Cooper ask you for any
13 input in the remedial map?

14 A. No.

15 Q. And what do you think a
16 mapmaker should consider in drawing maps?

17 A. Again, I would look at trying
18 to draw -- pay attention to compactness,
19 pay attention to county and municipal
20 boundaries, pay attention to the Voting
21 Right Act requirements. Those would be
22 the three criteria off the top of my
23 head.

24 Q. Do you think mapmakers should
25 consider incumbency protection?

1 MARK GRIFFITHS

2 A. No.

3 Q. You don't think that's
4 permissible?

5 MS. ROMERO: Objection. Calls
6 for a legal conclusion.

7 A. It may be permissible, it may
8 be legal, but I don't think it's
9 something they should do.

10 Q. Do you believe that you live
11 in a cracked district?

12 A. Yes.

13 Q. What is a cracked district?

14 A. If you look at the geographic
15 area of, say, Lorain County and the
16 number of Democrats that are in Lorain
17 County, rather than keep them all in one
18 district, you split them into three
19 districts as we have now, and that
20 essentially spreads Democrats over three
21 districts, thereby diluting the power of
22 that party.

23 Q. Do you know what other
24 districts Lorain County is in, other than
25 Congressional District 7?

1 MARK GRIFFITHS

2 affiliation, and if the effect of
3 cracking is -- if the impact of this
4 split is to greatly distort the
5 percentages of the parties, then I think
6 it's being done for partisan purpose.

7 Q. So in your view, to be a
8 lawful map, does the outcome need to be
9 proportional to the party affiliation of
10 the voters in the state?

11 MS. ROMERO: Objection. Calls
12 for a legal conclusion.

13 A. Yeah, I don't know about
14 proportional, but it certainly needs to
15 be close to proportion, otherwise I think
16 you could infer that there was a partisan
17 intent behind the design.

18 Q. How close does the split have
19 to be?

20 MS. ROMERO: Objection.

21 A. That I don't know. I wouldn't
22 know.

23 Q. Are you seeking a proportional
24 map in this case that roughly
25 approximates the party affiliation of the

1 MARK GRIFFITHS
2 STATE OF OHIO,) SS:
3 COUNTY OF)
4 CUYAHOGA.
5

6 I, Jill A. Kulewsky, a Notary Public
7 within and for the State of Ohio, duly
8 commissioned and qualified, do hereby
9 certify that MARK GRIFFITHS, was first duly
10 sworn to testify the truth, the whole truth
11 and nothing but the truth in the cause
12 aforesaid; that the testimony then given by
13 him was by me reduced to stenotypy in the
14 presence of said witness, afterwards
15 transcribed on a computer/printer, and that
16 the foregoing is a true and correct
17 transcript of the testimony so given by him
18 as aforesaid.

19 I do further certify that this
20 deposition was taken at the time and place
21 in the foregoing caption specified. I do
22 further certify that I am not a relative,
23 counsel or attorney of either party, or
24 otherwise interested in the event of this
25 action.

IN WITNESS WHEREOF, I have hereunto
set my hand and affixed my seal of office
at Cleveland, Ohio, on this 17th day of
December, 2018.



Jill A. Kulewsky, Notary Public
within and for the State of Ohio
My Commission expires August 31,
2020.